

**MINUTES**  
**CITY COUNCIL ADJOURNED MEETING**  
**MONDAY, AUGUST 17, 2009**  
**5:30 P.M.**  
**COUNCIL CHAMBERS**

MEMBERS PRESENT: Mayor Stiehm. Council Members McAlister, Austin, Pacholl, King, Clennon and Martin. Council Member-at-Large Anderson.

MEMBERS ABSENT: None.

STAFF PRESENT: Jon Erichson, Craig Hoium, Tom Dankert, Jeanne Howatt, David Hoversten, Kim Underwood, and Brian Krueger.

OTHERS PRESENT: Austin Post Bulletin, Austin Daily Herald. Public. Tim Olson, MDA representative and firefighters.

The meeting was called to order at 5:30 pm.

The following items were added to the agenda: Approval of the 7-20-09 city council minutes.

Moved by Council Member-at-Large Anderson, seconded by Council Member Pacholl, approving the agenda as amended.

Moved by Council Member King, seconded by Council Member Austin, approving the minutes of 7-20-09 and 8-30-09. Carried.

Norm Hecimovich, former council member, addressed Council requesting their endorsement of the Veteran's Memorial project. The memorial was begun in 1992, but it was never completed. The project will complete the statues plus add a 'Walk of Remembrance'. Granite pavers will be made available for engraving a service member's name for \$300 per paver. Mr. Hecimovich said those honored do not have to have lived in Austin. The pavers will indicate the name, date of service and if they died in service, and their branch of service. The kick-off for the project is November 11, with the goal of completion by Memorial Day 2010. There are currently 1056 spaces available but if more are needed, the project will be redesigned for more room. Mayor Stiehm read a proclamation in support.

Moved by Council Member Pacholl, seconded by Council Member Martin in support of the 'Walk of Remembrance' project. Carried.

Firefighter Tim Olson thanked Council for allowing the firefighters to participate in the 'Fill the Boot' campaign. He also thanked Steve's Pizza who donated pizza to the firefighters all three days. They raised \$14,152.70, which exceeded their \$5000 goal.

Council Member Clennon thanked the Target Corporation for sponsoring the local 'National Night Out' held on August 4 at the Veteran's Pavilion. Mayor Stiehm will be sending a letter to the local store.

Moved by Council Member Austin, seconded by Council Member King, adopting the consent agenda as follows:

#### Consent Agenda

##### Licenses:

- Food: Mariejojo Market, 119 4<sup>th</sup> Avenue NE, Austin
- Massage Therapist: Christina Tracy, Austin
- Mobile Food: Mark's Rib Shack, Austin, MN
- Temporary Food: Sterling Café @ Veteran's Park, August 30
- Temporary Food: Welcome Center/Godfather's Pizza @ Arts in the Park, August 30

##### Claims:

- a. Pre-list of bills.
- b. Finance Report and Investments

Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, approving the Hormel Foundation grant applications as follows:

- |   |           |
|---|-----------|
| 1. Summer reading program at Library                      | \$9,000   |
| 2. School program support at Nature Center                | \$28,968  |
| 3. Re-plant trees lost in tornado and begin forestry plan | \$75,000  |
| 4. Main Street Project                                    | \$115,000 |
| 5. Smoke alarms   | \$3,000   |
| 6. Removal of trees downed by tornado                     | \$25,000  |
| 7. Rehabilitation of trail in Nature Center               | \$4,980   |
| 8. Paint rehabilitation program                           | \$10,000  |
| 9. Electric powered carrier for Nature Center             | \$9,565   |
| 10. Irrigation for community gardens                      | \$10,000  |
| 11. Cost share for rain gardens                           | \$5,000   |
| 12. Fountains for Mill Pond                               | \$32,000  |
| 13. Community entrance sign                               | \$20,000  |

Carried. 7-0

Council is requested to approve the third and final street vacation in connection with the justice center project. This last piece was the alley behind *Anytime Fitness*.

Moved by Council Member Pacholl, seconded by Council Member McAlister, adopting a resolution approving the Report of Commissioners relative to the vacation of a public right-of-way in the Original Village. 7-0. Carried.

Austin Utilities has requested a modification to their power sales contract with SMMPA. This is just a technical change to the contract involving new metering sites and points of delivery.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving an amendment to Schedule A of the Power Sales Contract with Southern Minnesota Municipal Power Agency. 7-0. Carried.

Utilities General Manager Jerry McCarthy updated Council on the SMMPA contract. In 1980, the City of Austin signed a 50-year contract with SMPA, and we are now almost 30 years into that contract. However, most financial issues go through the bonding process and the normal bonding time of 20 years is shrinking. For that reason, SMMPA has asked all of the 18 members to extend their contracts for another 30 years. Austin Utilities has used a consultant. They have looked at all options, including the current trend in electrical sources. Mr. McCarthy said the electrical market today is “very robust”. Because of the dramatic change in the industry and looking at the future power supply, the Utilities has decided not to extend the contract. He said they feel there may be more energy available via biomass, solar, wind, etc. Mayor Stiehm asked if that was their final decision. Mr. McCarthy said they have informed SMMPA that at this point in time, they will not extend; however, they did leave an option open in case something changes. The cities of Rochester and Owatonna will also not extend. Council Member McAlister said he can’t see the answer in biomass or wind. Mr. McCarthy agreed, saying these sources would be part of the solution, not the whole solution. There still needs to be a base load.

An orderly annexation has been requested by Francine Davidson. The property is more than one acre and is completely surrounded by the City of Austin. It is currently in Lansing Township. The request was made to obtain municipal utilities for a residence and for Tiny’s Body Shop. According to a new, one-year-old state law, a tax reimbursement schedule to Lansing Township is included with the annexation. Also included are deferred assessments for sanitary sewer and water. The property owner has acknowledged these assessments and will be paying them.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution between the City of Austin and Lansing Township, requested by Francine Davidson. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, authorizing the Downtown Farmers Market to use the swimming pool parking lot at the end of the pool season. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, setting a public hearing for September 21 on liquor compliance violations. Carried.

A subdivision of property is requested in connection with a proposed purchase of property. Upon examination of the abstract, a property line dissecting this property was discovered. This new property relocates the south boundary. The new property line meets setback requirements. The southern portion of the property is owned by Scott Baudler. When that property is corrected, he will turn it over to the Wileys and the Lows would then purchase the entire area. Community Development Director Craig Hoium requested Council provide for an additional right-of-way with the reconstruction of 4<sup>th</sup> Drive SW.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving the subdivision of property and adding the necessary right-of-way extension. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution declaring a hazardous structure at 910 11<sup>th</sup> Street NW, Aurelio & Antonia Garcia. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution declaring a hazardous structure at 708 8<sup>th</sup> Avenue SE, David Milton. 7-0. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member Clennon, adopting a resolution declaring a hazardous structure at 1102 15<sup>th</sup> Avenue NE, Wells Fargo Bank. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, declaring a hazardous structure at 1604 East Oakland, Steve Burrell. 7-0. Carried.

#### REPORTS:

The Austin/Mower County Town Meeting Initiative on biobusiness is Thursday, August 20 at Riverland Community College, West Building A237.

The Southeastern Minnesota League of Municipalities regional meeting is scheduled for Monday, August 31 in Spring Grove. Our region is one of two that currently is without a regional form of government. There was a regional government here 30 years ago. City Administrator Jim Hurm reminded Council that this is one of the council's goals.

Jon Erichson said the environmental asbestos mitigation has begun at the fire site; this should take a little over a week. Demolition is scheduled to start August 31 and last three weeks. The project is on schedule.

Kim Underwood said Todd Park will re-open Saturday, August 22.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to September 8, 2009. Carried.

Adjourned: 6:20 pm

Approved: September 8, 2009

Mayor: \_\_\_\_\_

City Recorder: \_\_\_\_\_